

October 14, 2016



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 20325
(FIRST REVISION)

EXPIRATION DATE: 2017-03-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Samsung Electronics America, Inc.
Ridgefield Park, NJ
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the use of alternative packagings for the transportation of recalled lithium ion batteries contained in equipment. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Subparts C through H of Part 172 in that shipping papers, marking, labeling, emergency response information, and training are required, except as specified herein; and § 173.185(f) in that alternative packagings are authorized as provided herein.

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5. BASIS: This emergency special permit is based on the application of Samsung Electronics America, Inc. dated September 07, 2016, submitted in accordance with § 107.117 and a determination that it is necessary to prevent injury to persons or property and additional information submitted on October 13, 2016.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium ion batteries contained in equipment*	9	UN3481	N/A

*Only unopened, factory-sealed packages of cellular phones containing recalled lithium ion cells are authorized to be transported under the terms of this special permit.

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are unopened factory-sealed original packagings within which the cellular phones were previously transported.

b. OPERATIONAL CONTROLS -

(1) Each cellular phone may contain no more than one lithium ion cell, as described by Samsung Electronics America, Inc. and on file with the Office of Hazardous Materials Safety Approvals and Permits Division (OHMSAPD). The cell may not be rated to more than 13.48 Wh. Each cell may not exceed a state of charge of 40% when offered for transportation.

(2) Cells must have originally met the requirements of 49 CFR 173.185(c) including successfully passing the tests in accordance with the UN Manual of Tests and Criteria, Fifth Revised Edition.

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(3) Shipments authorized under the special permit are only in support of Samsung Electronics America, Inc.'s recall of cellular phones.

(4) Shipments of recalled cellular phones are limited to transportation from carrier, retailer distribution centers and retail stores to designated facilities.

(5) Packages must be stored away from heat.

(6) Each shipment offered under the terms of this special permit must be accompanied by a document that includes the following:

(i) An indication that the package contains lithium ion cells;

(ii) An indication that each package is to be handled with care and that a flammable hazard exists if a package is damaged;

(iii) An indication that special procedures must be followed in the event a package is damaged; and

(iv) A telephone number for additional information.

c. MARKING: Each package or over pack if used must be marked:

(1) The special permit number, "DOT-SP 20325", in accordance with § 172.301(c);

(2) The words "Damaged/defective lithium ion battery" in accordance with § 172.304 and with the lithium battery handling marking conforming to § 173.185(c)(3)(ii); and

(3) The words "FORBIDDEN FOR TRANSPORT BY AIRCRAFT - GROUND AND VESSEL SHIPMENT ONLY".

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8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modification or change is made to the package and it is offered for transportation in conformance with this special permit and the HMR.

c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

e. A current copy of this special permit must be maintained at each facility where the packaging is manufactured under this special permit. It must be made available to a DOT representative upon request.

f. Shipping instructions must be provided to individuals preparing shipments under the terms of the special permit.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or common carrier motor vehicle used to transport packages covered by this special permit.

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11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of

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this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover
Acting Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: KLEM